

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

RONNIE EDWARD MILLER, JR., #244648,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACT. NO. 2:21-cv-52-ECM
)	(WO)
WARDEN CALLOWAY, <i>et al.</i> ,)	
)	
Defendants.)	

OPINION and ORDER

On July 19, 2021, the United States Magistrate Judge entered a recommendation that the Plaintiff's complaint be dismissed due to the Plaintiff's failure to comply with the Court's Order. (Doc. 19). On August 25, 2021, after the Plaintiff failed to file any objections, the Court adopted the recommendation, dismissed the case, and entered final judgment. (Docs. 21 and 22).

On September 12, 2021, the Clerk of Court received from the Plaintiff a motion for reconsideration. (Doc. 23). In the motion, the Plaintiff asks the Court to vacate the final judgment and allow this matter to proceed because he erroneously mailed a motion for an extension of time to the Attorney General's office and not to the Court. Upon consideration of the motion, and for good cause, it is

ORDERED as follows that:

1. the Plaintiff's motion for reconsideration which the Court construes as a motion to vacate the judgment (doc. 23) is GRANTED;

2. the Opinion and Order and Final Judgment entered on August 25, 2021 are VACATED;

3. The Clerk of the Court is DIRECTED to reopen this case; and

4. this matter is REFERRED back to the United States Magistrate Judge for further proceedings consistent with this Order.

Done this 13th day of September, 2021.

/s/ Emily C. Marks
EMILY C. MARKS
CHIEF UNITED STATES DISTRICT JUDGE